

7.0 INVENTORY OF MITIGATION MEASURES

7.1 MITIGATION MONITORING REQUIREMENTS

Public Resources Code Section 21081.6 (enacted by the passage of Assembly Bill 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- (a) *The public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of an agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.*
- (b) *If there is a project for which mitigation is adopted, a public agency shall comply with subdivision (a) by, among other things, adopting mitigation measures as conditions of project approval. Those conditions of project approval may be set forth in referenced documents which address required mitigation measures.*
- (c) *Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.*
- (d) *The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*

7.2 MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21086.6. It describes the requirements and procedures to be followed by the City of Burbank to ensure that all mitigation measures adopted as part of the proposed Burbank Empire Center Project will be carried out as described in this EIR.

Table 7.A lists each of the mitigation measures specified in this EIR, and identifies the party(ies) responsible for implementation and monitoring of each measure.

Table 7.A - Mitigation Monitoring and Reporting Program

Environmental Topic		Mitigation Measure		Implementation	Monitoring	Timing for Mitigation Measure
4.1	<i>Land Use</i>	None required.				
4.2	<i>Population and Housing</i>	None required.				
4.3	<i>Geotechnical Conditions</i>	3.1	Prior to issuance of grading permits, project grading plans and structural plans for all buildings shall incorporate soil and seismic foundation recommendations of an updated soils and geotechnical report; these recommendations shall be confirmed after a comprehensive design level geotechnical investigation of the site, as presented in a "Final Soils and Geotechnical" report. All potential project effects are fully described in the GPI (1999) Report; an updated geotechnical report is necessary to incorporate refinements and building specific soil and foundation recommendations into final project design. Incorporation of recommended site preparation and compaction features shall be confirmed by the City of Burbank Engineering Department, Public Works Agency, prior to approval of final grading plans. Particular attention shall be paid to overexcavation of soil and recompaction of building areas and parking lot areas. The following soil removal and compaction standards shall apply:	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to approval of final grading plans.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>1. Loose sands and soil classified as collapsible or soils subject to hydroconsolidation not suitable for structural support shall be removed and recompact. Removals shall extend laterally beyond the building line a minimum distance equal to the depth of overexcavation below finish grade (i.e., a 1:1 projection below the edge of footings). The lateral limits should extend a minimum of five feet and a maximum of ten feet beyond building lines (i.e., canopies, storage areas, enclosures, etc.). Overexcavation and densification shall be required in the areas under planned building foundations, dependent upon final structural design load, per UBC requirements.</p>			

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>2. Additional densification below areas of soil removal can be achieved by in-place compaction, depending upon final structural load design, per UBC requirements.</p> <p>3. In shallow excavations where workmen enter, the area shall be properly shored or sloped back at least 1:1 (horizontal:vertical) or flatter. Excavations in compacted fill or dense natural soils may be cut up to four feet vertically. Excavations deeper than four feet in compacted fill or in clean sands shall be shored or sloped back 1:1. Surcharge loads shall not be permitted within a horizontal distance equal to the height of cut from the toe of the excavation or five feet from the top of the slopes, whichever is greater, unless the cut is properly shored. Excavations that extend below an imaginary plane, inclined at 45 degrees below the edge of any adjacent existing site facilities, shall be properly shored to maintain support of adjacent elements. All excavations and shoring systems shall meet the minimum requirements given in the most current State of California Occupational Safety and Health Standards. Soil densification is required in all areas, consistent with UBC requirements and recommendations in the Final Soils and Geotechnical report.</p>			

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3.2	To ensure stability in imported fill material, all imported fill material should be predominantly granular, non-expansive and contain no more than 40 percent fines (portion passing No. 200 sieve) and have a minimum R-value of 50. The Geotechnical Engineer shall be notified at least 72 hours in advance of importing soils. Each proposed import source shall be sampled, tested, and accepted for use by the Geotechnical Engineer prior to delivery of the soils to site. Imported soils to be used as fill shall be free of debris and not be larger than six inches in dimension. Soils imported prior to acceptance by the Geotechnical Engineer may be rejected if not deemed suitable. The Geotechnical Engineer shall maintain a daily log indicating source of material and placement of material. Prior to issuance of building permits, the Geotechnical Engineer shall furnish the log to the Director, Community Development Department, for review and approval.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits.
3.3	Many of the demolished buildings were supported on drilled piles; although unlikely, encountering such piling during site grading should be anticipated. Proposed excavations shall be reviewed by the City of Burbank Engineering Department prior to approval of grading permits. Should former foundations be encountered, they shall be removed. In addition, grading plans shall specify a grading monitoring program. The monitoring program shall be reviewed and approved by the Engineering Department to ensure the following:	City of Burbank Public Works Department	City of Burbank Public Works Department and Public Service Agency Director	Prior to approval of final grading plans.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<ol style="list-style-type: none"> 1. Prior to placing any fills, the exposed subgrade (both existing grades or after removals are complete) should be scarified, moisture conditioned (flooded), and proofrolled using a heavy vibratory pad foot roller with a minimum rated energy of 40,000 pounds (dynamic). All subgrades in building areas shall be proofrolled a minimum of six passes. A minimum of four passes shall be made in pavement areas. 2. Prior to grading, the areas to be developed shall be stripped of any vegetation and cleared of all debris, structures, aboveground soil stockpiles, and pavements. All buried obstructions, such as footings, utilities, and tree roots, shall also be removed. All deleterious materials generated during the clearing operations shall be removed from the site. Inert demolition debris, such as concrete and asphalt, may be crushed for re-use in engineered fills in accordance with the criteria identified in Mitigation Measure 3.2. The site shall be cleared to the approval of the Geotechnical Engineer and the City of Burbank Engineering Department prior to issuance of grading permits. 			

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	3. To ensure site safety, temporary vertical cuts should be limited to less than three feet within the upper silty sand soils. Excavations deeper than three feet should be sloped at 1:1 or supported by temporary side walls.			
	3.4 Planter design shall be included in site building plans submitted for plan check and subject to approval of the City of Burbank Engineering Department prior to approval of building permits. To ensure that unexcavated collapsible soils are not affected, all planters within 20 feet of buildings shall be lined and drained to appropriate collection facilities so that these soils are not affected.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to approval of building permits.
4.4 Water Resources	Potable Water and Reclaimed Water			
	None required.			
	Drainage and Flood Control			
	4.1 During grading and building plan check, prior to issuance of any building permit, the Public Works Department shall ensure that buildings and pylon signs shall not encroach on Lockheed Channel and shall comply with BMC 7-104, 26-702, which states that no structure is permitted in any public street (or alley), nor any public utility, storm drain, or sewer easement located within the property.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of any building permit.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
4.2	A preliminary Hydrology Study has been accepted by the City; however, an approved Final Hydrology Study is required to assure that surrounding properties and Lockheed Channel will not incur negative impacts, to the satisfaction of the Directors, Public Works Department, and the Public Service Department, prior to issuance of grading permits. The Final Hydrology Study would identify minor modifications to the proposed on-site storm drain system. The Final Hydrology Study will include design requirements to ensure that effects of a 100 year storm are accommodated by on-site facilities, and that all habitable structures are protected from the 100 year storm.	City of Burbank Public Works Department	City of Burbank Public Works Department and Public Service Department	Prior to issuance of grading permits.
4.3	Drainage plans shall provide protection to all planned and existing underground vaults, to the satisfaction of City of Burbank PSD. These drainage plans shall include, but are not limited to, the design of drainage systems that decrease a significant quantity of storm flows reaching underground vaults. No parking structure or habitable building space shall be allowed below ground level or, if such structures are permitted, they shall be flood proofed or otherwise prevented from flooding. The proposed on-site storm drain system will be designed to provide multiple catch basins and drainage inlets to decrease the amount of ponding. Major building roof drains will be designed to connect directly to the underground system and alleviate surface flows behind the office and retail buildings. Such plans shall be reviewed and approved prior to the issuance of grading permits, to the satisfaction of the Directors, Public Works Department, and the Public Service Department.	City of Burbank Public Service Department	City of Burbank Public Service Department and Public Works Department	Prior to issuance of grading permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
4.4	Areas of anticipated periodic flooding on the site shall be designated as “No Parking” or “Fire Lane - No Parking” areas. Signage shall be implemented prior to issuance of occupancy permits, subject to the approval of the Director, Public Works.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of occupancy permits.
<i>Stormwater</i>				
4.5	The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the Storm Water Pollution Prevention Plan (SWPPP). Weekly inspections shall be performed on the sand bags barriers and other sediment control measures called for in the SWPPP and the Wet Weather Erosion Control Plan (WWECP). Monthly reports shall be maintained by the Director, Public Works. The applicant’s contractor shall inspect BMP facilities before and after every rainfall event that is predicted to produce observable runoff, and at 24 hour intervals during extended rainfall events, excepting days when there is no ongoing site activity. Pre-storm activities will include inspection of the major storm drain grate inlets and examination of other on-site surface flow channels and swales, including the removal of any debris that blocks the flow path. Post-storm activities will include inspection of the grate inlets, looking for any ponded water on the site and determining the cause, and looking for surface erosion. The Construction Contractor shall implement corrective actions specified by the City’s Public Works Department, as necessary, at the	City of Burbank Public Works Department	City of Burbank Public Works Department	Ongoing during construction.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>direction of the Director, Public Works. Inspection records and compliance certification reports shall be submitted to the Director, Public Works, on a monthly basis and shall be maintained for a period of three years. Inspection schedules shall be monthly during the dry season and weekly during the wet season.</p>			
	Mitigation Measures 4.8 and 4.9 also apply to Option D1-B.			
4.6	<p>The area of flow along Buena Vista Avenue shall be designated with appropriate signage and curb painting as “No Parking,” or “Fire Lane,” to keep the area clear of obstructions and vehicles. Signage shall be placed on the site prior to issuance of occupancy permits, subject to the approval of the Director, Public Works.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of occupancy permits.
4.7	<p>During final design, the developer and City of Burbank PSD shall provide a final hydrology study for Option D1-B to specify flood protection requirements, such as block walls, berms, taller curbs, and pad elevations set above 100 year flood levels. The developer shall be responsible for the additional improvements and flood control measures included in the Final Hydrology Study, as approved by the Directors, Public Works and Public Services Departments, prior to issuance of grading permits.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of grading permits.

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4.5	<i>Public Services and Utilities</i>	<i>Police Protection Services/Fire Protection Services</i>			
		5.1 In order to reduce significant impacts to Police Department and Fire Department (paramedic) response time to the site and surrounding area, and to maintain average response time in the City, a police/fire/paramedic command center shall be constructed on the site by the developer, at the developer's expense, to accommodate an office equipped with office equipment, furniture, and police and fire frequency radios. The command center shall be located within the retail shopping area adjacent to the commercial center's management/security offices, and signed appropriately. The command center shall be approved by the fire and police chiefs; shall be operational upon occupancy of the retail portion of the B-1 area; and shall be provided to the City free of any charge, except for utilities.	Developer	City of Burbank Police and Fire Departments	Prior to issuance of occupancy permits.
		<i>Transit</i>			
		5.2 The Director, Public Works, shall coordinate construction and road closures with the transit district. One month lead time shall be used by the City for notification of the transit district for any street work that could affect a transit route. Transit route management and route detours shall be coordinated with Mitigation Measure 7.15 in Section 4.7, which requires that a traffic diversion management program be implemented.	City of Burbank Public Works Department	City of Burbank Public Works Department	Ongoing during construction.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
<i>Electricity</i>				
None applicable				
<i>Wastewater</i>				
5.3	The developer shall contribute a fair share portion of the cost of a parallel 15 inch sewer main adjacent to line 407D, in the form of a bond, prior to City issuance of the first occupancy permit. The City shall install the 15 inch main prior to line 407D reaching 95 percent calculated capacity, or within five years of issuance of the first occupancy permit. Annual monitoring of Line 407D shall be conducted by the Public Works Department. The connection point of the on-site sewer system shall be at the downstream portion of the 1,338 foot pipe, shown in improvement plans to be reviewed and approved by the Public Works Department prior to issuance of permits. Should the installment of the sewer main not be required after five years after issuance of the first occupancy permit, the bond shall be released to the developer.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits.
<i>Solid Waste</i>				
5.4	Prior to occupancy permits, the project applicant shall prepare a Waste Management Plan for review and approval by the City of Burbank Public Works Department.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of occupancy permits.

Environmental Topic		Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	5.5	Final design plans shall clearly identify bin enclosures and recycle containers. Plans shall be submitted to the City of Burbank Public Works Department for review and approval. Recycling containers shall be provided by the developer to meet City waste reduction goals, as approved by the Director, Public Works Department.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to approval of final design plans.
	Schools				
	None applicable				
4.6	Recreation	6.1 The developer shall provide an enclosed bicycle storage facility for 16 bicycles and an active or a passive outdoor open space/recreational area with seating and limited tables; the area shall be no less than one percent of the total area devoted to office and hotel uses, subject to the approval of the Director, Community Development. These facilities shall be provided free of charge to all office and hotel employees.	Developer	City of Burbank Community Development Department	Prior to issuance of occupancy permit.
4.7	Traffic and Circulation	7.1 Prior to issuance of the first building permit, the City of Burbank, Public Works Director shall have prepared and shall have begun implementing a roadway and intersection improvement program to implement Mitigation Measures 7.1 through 7.14. The roadway and intersection improvement program shall include a listing of improvements to be completed. Such improvements shall be fully implemented pursuant to the roadway and intersection improvement plan such that significant impacts are thereby avoided or mitigated below a level of significance at the time of completion of the project.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of first occupancy permit.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.2	<i>Buena Vista Street at Victory Boulevard (Intersection No. 17)</i> The City shall provide two left turn lanes on the eastbound and southbound approaches.	City of Burbank Public Works Department to coordinate with Caltrans and City of Los Angeles Public Works Department	City of Burbank Public Works Department to coordinate with Caltrans and City of Los Angeles Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.3	<i>Hollywood Way at I-5 Southbound Ramps (Intersection No. 2)</i> The City shall signalize the intersection. (Not needed with construction of the Empire Avenue interchange.)	City of Burbank Public Works Department to coordinate with Caltrans and City of Los Angeles Public Works Department	City of Burbank Public Works Department to coordinate with Caltrans and City of Los Angeles Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.4	<i>Hollywood Way at Winona Avenue* (Intersection No. 3)</i>			
	The City shall widen the westbound approach to provide a fourth lane. (With construction of the Empire Avenue interchange, this improvement is not needed for Development Options D1-A or D1-B.)	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.5	<i>Buena Vista Street at Vanowen Street (Intersection No. 18)</i>			
	The City shall provide an exclusive northbound left turn lane and upgrade traffic signal to provide an exclusive phase for this movement. (Mitigation not required for Development Option D1-A.)	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.6	<i>Buena Vista Street at Empire Avenue (Intersection No. 19)</i>			
	The City shall provide three left turn lanes on the westbound approach (and three southbound departure lanes), two left turn lanes on all other approaches, and an exclusive right turn lane on all approaches.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.7	<i>Buena Vista Street at San Fernando Boulevard* (Intersection No. 21)</i>			
	The City shall construct an intersection grade separation.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.8	<p><i>Buena Vista Street at I-5 Northbound Ramps* (Intersection No. 22)</i></p> <p>The City shall construct Empire Avenue interchange.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.9	<p><i>San Fernando Boulevard at Lincoln Avenue* (Intersection No. 23)</i></p> <p>The City shall construct Empire Avenue interchange.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.10	<p><i>Empire Avenue at Victory Place (Intersection No. 24)</i></p> <p>The City shall signalize the intersection, and provide an exclusive northbound left turn lane.</p> <p>When the Empire Avenue interchange is constructed, the Empire Avenue/Victory Place intersection will be replaced by a grade separation, and two additional mitigation measures will be required:</p> <ol style="list-style-type: none"> 1) The City shall develop a new major project access point from the project to Empire Avenue, as close to Victory Place as is physically possible. 2) The City shall provide a roadway connecting this access point with the first major access point on Victory Place. 	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.11	<p><i>Five Points (Burbank Boulevard at Victory Boulevard/Victory Place)*</i></p> <p>The City shall construct the Empire Avenue interchange, and implement the following:</p> <p>C Close the northeast (Victory Boulevard) leg of the intersection, and realign Victory Boulevard to intersect Burbank Boulevard west of the Five Points intersection. This improvement is illustrated in Figure 4.7.6.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.12	<p><i>San Fernando Boulevard at Burbank Boulevard (Intersection No. 27)</i></p> <p>The City shall add a southbound right turn lane (so the southbound approach has one left turn lane, one through lane, one shared through-plus-right turn lane, and one right turn lane). (Not required for Development Options D1-A, D1-B or D1-C. Not required with construction of the Empire Avenue interchange.)</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.13	<p><i>Project Access Driveway Locations</i></p> <p>The developer shall provide the following changes to project access: 1) provide an exclusive right turn lane and an exclusive left turn lane for traffic turning into major project driveway access points at Lincoln and Empire, Keystone and Empire, three driveways on Victory Place, the entrance on Burbank Boulevard and the entrance on Victory Boulevard; and 2) restrict the project driveway on Buena Vista Street to right-turn-in and right-turn-out access only.</p>	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.

Environmental Topic		Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.14	C	The City shall eliminate on-street parking on Maria Street.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
	C	The developer shall provide a full movement signalized intersection access point at Victory Place and Lake Street for primary access to the B-199 site.			
7.15		Prior to issuance of the first building permit or the first street improvement project, whichever is first, the Director, Public Works, shall prepare and implement a schedule of roadway and intersection improvement construction and a traffic management plan so as to avoid peak hour transit service disruption and peak hour traffic stoppages. Traffic diversion and transit route detours shall be specified and mapped and coordinated with the transit district. All traffic diversion and street detours shall be specified by the Director, Public Works. Building occupancy and project access shall be coordinated in the plan so as to provide project access at the time of occupancy. The plan shall be updated as construction progresses and shall be kept on file in the Director's office and available for public review throughout the street construction period.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
7.16	The developer shall submit to the City a structural section analysis of all surrounding streets identified in the traffic study for the proposed project that are used for construction related traffic with any recommended repairs to all impacted streets caused by construction related traffic. The developer shall be responsible for street repairs and replacement caused to the project by construction related traffic, upon these studies as specified in the Development Agreement.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits for each building in each phase according to Mitigation Measure 7.1.
7.17	Prior to issuance of building permits, the developer shall provide certification to the Director, Public Works, that area "B" as shown on Tentative Parcel Map No. 24941 provides adequate area for the proposed Empire Avenue grade separation.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of building permits.
<i>Neighborhood Protection</i>				
7.18	Prior to issuance of a building permit for the proposed project, the permit applicant shall prepare a neighborhood protection strategy plan for review and approval by the City of Burbank Director of Community Development and Public Works. The strategy plan shall be prepared in consultation with potentially affected residents and appropriate City staff as determined by the City Manager, and shall include but not be limited to specific strategies that preserve adequate access while protecting, as much as is feasible and desirable by neighborhood residents and property owners, against through traffic intrusion.	City of Burbank Community Development Department and Public Works Department	City of Burbank Community Development Department and Public Works Department	Prior to issuance of building permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>Possible strategies could include but are not limited to the following:</p> <ul style="list-style-type: none"> Construct a cul-de-sac on Brighton Street at San Fernando Boulevard (envisioned as part of constructing the intersection grade separation at Buena Vista/San Fernando); Install a diagonal diverter at the Brighton Street/Kenmere Avenue intersection; Prohibit northbound and southbound through movements at the intersection of Empire Avenue and Lincoln Street. Speed bumps, traffic barriers, and restricted access hours. <p>The City should consult with area residents prior to installation of these measures to ensure that these strategies are desired and supported, and should monitor their effectiveness after implementation to determine whether additional access modifications are warranted. All planning, engineering, and improvement costs shall be borne by the project applicant, as defined in the Development Agreement.</p>			

Environmental Topic		Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure	
4.8	Air Quality	7.19	Prior to issuance of the first certificate of occupancy of the proposed project, the applicant shall provide evidence to the satisfaction of the City of Burbank, Community Development Director, that the recommendations of the neighborhood protection strategy have been constructed or are in place. All traffic study, engineering, and improvement costs are the responsibility of the developer.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of first certificate of occupancy.
		8.1	In order to reduce short-term construction impacts from emissions from equipment and vehicles, prior to issuance of grading permits the permit applicant shall include the following measures on construction plans and in all construction contracts, to the satisfaction of the Director, City of Burbank Community Development Department:	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of grading permits
		C	The Construction Contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency as reported by the federal government.			
		C	The Construction Contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer’s specifications.			

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	<p>C The Construction Contractor shall time the construction activities so as not to interfere with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.</p> <p>C The Construction Contractor shall provide ridesharing and transit incentives for the construction crew, such as free bus passes and preferred carpool parking.</p>			
8.2	In order to reduce short-term construction emissions, prior to issuance of building permits the permit applicant shall include low emission architectural coatings measure on construction plans. The Director, City of Burbank Community Development Department, shall verify inclusions of this measure:	City of Burbank Community Development Department	City of Burbank Community Development	Prior to issuance of building permits
	<p>C The Construction Contractor shall utilize, to the extent possible, precoated/natural colored building materials, water based or low VOC coating, and coating transfer or spray equipment with high transfer efficiency, such as high volume low pressure (HVLP) spray method, or manual coatings application such as paint brush, hand roller, trowel, spatula, dauber, rag or sponge.</p>			

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
8.3	In order to reduce fugitive dust from construction activities, the following shall be implemented by the applicant prior to commencement of grading or excavation:	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of grading permits
	C Prior to issuance of grading permit, the applicant shall furnish documentation to the satisfaction of the Director, Community Development Department, that the following provisions are included in the grading contractor's contract.			
	C Apply non-toxic chemical soil stabilizers according to manufacturers' specifications, to all inactive construction areas and previously graded areas inactive for five days or more.			
	C Enclose, cover, water twice daily, or apply non-toxic soil binders, according to manufacturers' specifications, to exposed stockpiles (i.e., gravel, sand, dirt) with five percent or greater silt content.			
	C Automatic water mist or sprinkler systems should be installed in areas with stockpiles. Adequate amounts of water shall be applied to areas of excavation, trenching, and stockpiles to preclude generation of visible dust plumes.			
	C Daily and weekly monitoring reports shall be submitted to the Director, Community Development, by the applicant or contractor.			

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
8.4	<p>In order to reduce fugitive dust from on-site and off-site vehicle activity, the following measures shall be implemented by the applicant and the contractor during the period of construction:</p> <p>The applicant shall furnish documentation to the satisfaction of the Director, Community Development Department, that the following provisions are included in the grading contractor's contract:</p> <ol style="list-style-type: none"> 1. All trucks hauling, dirt, sand, soil, or other loose materials are to be covered, or shall maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code section 23114 ("freeboard" means vertical space between the top of the load and top of the trailer); tightly secured covering to truck. 2. Sweep streets once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water). Sweep streets immediately after period of heaviest vehicular track-out activity. 3. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip. Set up truck washing area on paved access road area so subsequent truck travel on unpaved roads can be eliminated. 	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of building permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	4. Pave construction access roads at least 100 feet onto the site from main road.			
	5. Apply water three times daily, or apply non-toxic soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.			
	6. Traffic speeds on all unpaved roads to be reduced to 15 mph or less; effective traffic control or signage shall be installed and maintained.			
	7. Daily and weekly monitoring reports by the developer's monitor, acceptable to the City of Burbank, shall be submitted to the Director, Community Development, by the applicant or contractor.			
8.5	A construction and construction related activity monitor satisfactory to the Director of Community Development shall be retained by the applicant prior to issuance of grading permit. The monitor shall monitor all activity on a daily basis, keep written daily records, and file daily activity reports with the Director, Community Development, for the duration of grading and construction. The monitor shall be employed by the applicant or the applicant's contractor, and shall file reports with the Director, Community Development. The monitor shall report on the following strategies:	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of building permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<ol style="list-style-type: none"> 1. Construction equipment exhaust shall be minimized by use of: <ul style="list-style-type: none"> - NO_x control technologies, such as fuel injection timing retard for diesel engines and air to air after cooling. - Low sulfur fuel. - Well maintained equipment and proper planning to minimize trips/use. - Log fuel use, hours of operation, and periodic maintenance. 2. Fugitive dust shall be controlled as specified in Mitigation Measures 8.3 and 8.4, and SCAQMD rules and regulations. 3. Restrict delivery of construction supplies and off-site hauling of debris <ul style="list-style-type: none"> - Restrict to non-peak travel periods whenever feasible, except for concrete and earthwork related activities. 4. Construction worker travel in carpools shall be encouraged by: <ul style="list-style-type: none"> - Common carpool registry shall be maintained at the construction site and managed by the applicant. 			

Environmental Topic		Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
4.9	Noise	5. Application of building materials and architectural coatings shall be controlled by: - All materials must comply with applicable SCAQMD rules and Mitigation Measure 8.2.			
		9.1 Prior to issuance of grading permits, the applicant shall specify construction hour restrictions on the grading plans. Due to the close proximity to residences, construction activity shall be restricted to the hours of 7:00 a.m. to 7:00 p.m., everyday. The grading plan shall be submitted to and approved by the Director, Community Development.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of grading permits.
		9.2 Construction equipment shall be equipped with working muffler to minimize noise impacts during construction phase. Prior to issuance of grading permit, the applicant's on-site monitor (see Mitigation measure 8.1) shall submit an initial inspection report of all on-site equipment noting conditions of equipment mufflers. This report shall be updated on a weekly basis. All reports shall be submitted to and approved by the Director, Community Development, throughout the construction period of the project.	City of Burbank Community Development Department	City of Burbank Community Development Department	Ongoing during construction.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
9.3	Sound barrier consisting of variegated concrete blocks or other suitable material with no gaps or other form of effective noise barrier shall be constructed between the proposed project and residences immediately adjacent to the project site where the railroad tracks do not provide noise shielding length, similar to an (effective) eight foot high barrier. The location, material, and effective height of the sound barrier would be determined when final design of project layout and grading elevations are available and shall be verified by an acoustical study prior to issuance of permits for the wall by the Director, Community Development. The wall shall be constructed near the property lines adjacent to residences to effect a 3 to 6 dBA minimum noise level reduction, depending upon intervening topography and distance from the anticipated noise source prior to issuance of occupancy permits for uses on the B-199 site and uses along the southern property line on the B-1 site.	City of Burbank Community Development Department	City of Burbank Community Development Department	Ongoing during operation of project.
9.4	Prior to issuance of grading permits, the applicant shall prepare and submit for review and approval by the Director, Community Development, a planned route for construction equipment access and truck route to the project site that minimizes exposure of residential uses to construction related truck and equipment activity. Approved route maps shall be provided to contractors. A note shall be provided on all grading plans and building plans specifying the route to be followed for access to the site.	City of Burbank Community Development Department	City of Burbank Community Development Department	Ongoing for two years after implementation of project.

Environmental Topic		Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
4.10 Aesthetics	9.5	Outdoor speakers used for announcements and outdoor paging systems shall be prohibited throughout the site.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of grading permits.
	10.1	Prior to the issuance of building permits for any buildings on the project site, the project applicant shall submit, and the Community Development Department shall have approved in conjunction with review by the Park and Recreation Department, plans verifying that landscaping will be installed along the boundaries of the project site and within the parking lot area so as to lessen visual impacts of the project. This landscaping will include a predominance of 24 inch box trees and 15 gallon shrubs along the perimeter that will mature to a size sufficient to minimize views of the proposed project from adjacent residential properties. Surface parking lot landscaping shall conform to Media District Overlay Zone landscape requirements, consistent with Burbank Municipal Code Section 31-2107. Tree and shrub placement shall be at appropriate locations, subject to the review and approval of the Directors of the Park and Recreation Department and the Community Development Department.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of any building permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
10.2	Prior to the issuance of building permits for any buildings on the project site, the project applicant shall submit, and the Community Development Department shall have approved, plans that verify that all outdoor lighting (street lights, parking lot security lights, parking structure lights, and building lights) is designed so that all direct lighting is confined to the project site and that adjacent residential properties located to the west and south are protected from spillover light and glare, and in conformance with City site plan review requirements.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of any building permits.
10.3	Prior to the issuance of building permits for parking structures on the B-1 site, the project applicant shall provide visual screening along the open portions of the parking structure facing residential uses to reduce the visibility of vehicle lights and interior security lighting (as well as vehicle noise) outside of the structure. The screening shall consist of a solid wall, or a combination of plant and building materials to achieve a comparable effect, and shall be designed to the satisfaction of the Director of Community Development.	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of any building permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
10.4	<p>The applicant shall demonstrate to the Community Development Department that the exterior lighting system has been designed and directed in such a manner as to shield light sources from adjacent residences and to minimize light spillage and glare to the adjacent residential properties to the south across the railroad tracks and to the west of the B-199 site. Prior to approval of building permits by the City, the applicant shall provide to the Community Development Department with a lighting system plan, indicating light fixture project types and technical specifications, including photometric information, to determine the extent of light spillage or glare that can be anticipated. Auto sales and service lighting on the B-199 development parcel shall be limited as follows:</p> <p>C Maximum fixture height is 25 feet;</p> <p>C Maximum candlefoot at western property line, which is adjacent to the residences, is 0.50 candle feet;</p> <p>C Hoods shall be provided on all fixtures to direct light downward and avoid off-site lighting.</p>	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of building permits for parking structures on the B-1 site.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	Mitigation Measures 10.5 and 10.6 also apply to Options D1-A and D1-B.			
10.5	Auto sales and service lighting on the B-1 development parcel shall be limited as follows:	City of Burbank Community Development Department	City of Burbank Community Development Department	Prior to issuance of building permits.
C	Maximum fixture height is 35 feet;			
C	Maximum candlefoot at the southern property line across the railroad tracks from the residences shall be no greater than 1.0 candle feet;			
C	Hoods shall be provided on all fixtures to direct light downward and avoid off-site lighting.			
10.6	The auto sales and service lighting system shall be on a timer that allows employees to safely return to their cars after the end of the work shift, but then shall be timed to reduce light levels to the minimum required for security purposes, as required by the Police Chief. A remote tripping device could be used alternatively or in addition to a timer to allow the employee to retrieve their cars under the bright lights and then return the lights to the dimmer level.			Prior to issuance of building permits.
	This information shall be made a part of the building set of plans prior to issuance of the final building permit approvals. Prior to issuance of occupancy permit approvals, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm control of light and glare specified in this mitigation measure.			

Environmental Topic		Mitigation Measure		Implementation	Monitoring	Timing for Mitigation Measure
4.11	Public Health and Safety	11.1	Prior to issuance of any demolition, grading, or street work permits for the Five Points project or the Lake Street Access, the City of Burbank Public Works Department shall provide documentation that additional standard historical sources were researched in accordance with ASTM E 1527-97 to identify any additional unknown prior uses on purchase properties along West Burbank Boulevard/North Victory Place to be added to the project, including (but not limited to) aerial photographs dating back to 1928, fire insurance maps (Burbank Fire Department), and local street directories for all former site addresses. Current site usage shall be documented through inspection of structures and open areas on these properties for the presence, handling, or storage of hazardous substances or petroleum products. Documentation shall be provided that limited or pre-demolition surveys for ACMs and LBPs (including sampling and analysis of all suspected building materials) and inspections for PCB containing electrical fixtures were completed on these properties. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations. All identified ACMs, LBPs, and PCB containing electrical fixtures shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures.	City of Burbank Public Works Department	City of Burbank Public Works Department	Prior to issuance of any demolition, grading or street work permits.

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>Air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations and to provide safety to workers and the adjacent community. The permit applicant shall provide documentation (including all required waste manifests, sampling and air monitoring analytical results, etc.) that abatement of any ACMs, LBPs, or PCB containing electrical fixtures identified on these properties has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies).</p>			
	<p>Documentation shall be provided to demonstrate that Phase II Environmental Site Assessments (ESAs), including a geophysical survey and/or subsurface exploration, sampling, and environmental laboratory analyses (as described in ASTM E 1903-97), were completed in all areas of RECs on the purchase properties along West Burbank Boulevard/North Victory Place. The necessity for Phase II ESAs shall be based upon the presence of any potential REC on these properties identified in the Phase I ESA, suspected from the results of the required additional historical research (to comply with in accordance with ASTM E 1527-97), or observed during site inspections. All Phase II ESAs shall be completed in accordance with the latest updated version of applicable portions of the California Regional Water Quality Control Board-Los Angeles</p>			

Environmental Topic	Mitigation Measure	Implementation	Monitoring	Timing for Mitigation Measure
	<p>Region (LARWQCB), “Interim Site Assessment and Cleanup Guidebook” dated May, 1996, and the latest updated version of applicable portions of the California EPA-Department of Toxic Substances Control (DTSC), “Guidelines for Hydrogeologic Characterizations of Hazardous Substance Release Sites,” Volumes 1 and 2, and “Drilling, Coring, Sampling and Logging at Hazardous Substance Release Sites.” Prior to issuance of any grading or building permits for the project, the permit applicant shall provide documentation that a remedial plan to mitigate any contamination identified on the properties along West Burbank Boulevard/North Victory Place to be added to the project has been submitted and approved by the appropriate regulatory agency (e.g., LARWQCB or DTSC).</p>			
<p>11.2</p>	<p>Prior to issuance of any Certificate of Occupancy required for development on the B-199 Subarea, the permit applicant shall provide documentation (including all required waste manifests, sampling, and monitoring laboratory analytical results, etc.), to the satisfaction of the Director, Public Works Department, that remediation of any contamination or wastes identified on the properties along West Burbank Boulevard/North Victory Place to be added to the project has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies).</p>	<p>City of Burbank Public Works Department</p>	<p>City of Burbank Public Works Department</p>	<p>Prior to issuance of any building or grading permit.</p>
<p>4.12 <i>Secondary Economic Effects</i></p>	<p>None required.</p>			

7.3 MITIGATION MONITORING PROGRAM PROCEDURES

Administrative Procedures

Mitigation monitoring reports (monitoring reports) shall be submitted to the City on a monthly basis, starting on the third month following both the certification of the EIR and project approval, and continuing until the mitigation program is complete. Records and documentation of compliance shall be maintained by the project applicant and submitted as appendices to the annual monitoring reports. All associated reports and documentation shall be open for inspection by the project applicant, the public, responsible agencies, and others as designated by the City Planner.

Reporting shall consist of establishing a valid record that mitigation measures are being implemented as intended and described in the EIR. The following steps are recommended:

1. All annual monitoring reports will be issued to the EIR Lead Agency and each applicable Enforcement Agency.
2. Monitoring Reports shall be issued monthly, commencing three months following certification of the EIR and approval of the project. A comprehensive annual report and a final report shall be prepared by the project applicant.
3. Remedial actions to correct non-compliance shall extend monitoring and reporting as necessary until compliance is assured. Remedial action reports will be issued to the applicable enforcement agency within ten days of completion of such remedial action.
4. Evidence, such as verification forms, letters, signatures, initialed items, etc., shall be included as an appendix to annual monitoring reports.
5. Monthly monitoring reports, inclusive of appendices, will be on file at the City's Community Development Department, and will be publicly available to interested parties.
6. All reporting forms indicating non-compliance with any required mitigation measures of the EIR shall be issued within five (5) working days of discovery to the City, with a copy to the property owner and/or project applicant, or authorized representative, as appropriate.

Monitor/Monitoring Team

Monitoring Reports will be prepared by a designated monitor, either a specific individual or a firm specializing in the implementation of mitigation monitoring. The monitor will serve as a clearinghouse for all compliance verification information. Individual technicians, contractors, etc., will submit their reports directly to the monitor,

who in turn will incorporate the information into the comprehensive monthly monitoring reports and annual monitoring reports.

Enforcement

Under CEQA, the ultimate discretion and responsibility for making determinations with respect to potential environmental effects rests with the Lead Agency, rather than the EIR preparer or monitor.

These MMRP provisions do not grant monitors or agencies any additional policy powers to enforce compliance with mitigation measures. The monitoring report is an informal document upon which the Lead Agency entities may act to enforce compliance. The monitor will act as the conveyor of information on compliance based on the terms set forth in this MMRP.

If a failure to mitigate or comply with mitigation measures is reported by the monitor, the City may act to require correction of such failure, but in no case shall the monitor have the authority, nor obligation, to enforce the mitigation set forth herein.